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HMO Colorado Inc. d/b/a HMO Nevada*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

SUNRISE HOSPITAL AND MEDICAL
CENTER, LLC

Plaintiff,

vs.

ROCKY MOUNTAIN HOSPITAL AND
MEDICAL SERVICE, INC. d/b/a ANTHEM
BLUE CROSS AND BLUE SHIELD; HMO
COLORADO INC. d/b/a HMO NEVADA

Defendants.

Case No.: 2:18-cv-00761-RFB-GWF

**STIPULATION AND ORDER TO EXTEND
DISCOVERY STAY**

(Fourth Request)

Plaintiff Sunrise Hospital and Medical Center, LLC (“Plaintiff”) and Defendants Rocky Mountain Hospital and Medical Service, Inc. d/b/a Anthem Blue Cross and Blue Shield and HMO Colorado Inc. d/b/a HMO Nevada (“Defendants”, and collectively with Plaintiff, the “Parties”) submit the following Stipulation and Order to Extend Discovery Stay:

1 1. On March 14, 2019, the Parties submitted a Status Report and Stipulation to Stay
2 Discovery in which they reported the Parties' agreement to pursue private mediation and requested to
3 stay discovery for fourteen (14) days to allow for the selection of a mediator and mediation date.
4 (Dkt. 45.) The Court entered the Stipulation and Order on March 15, 2019. (Dkt. 46.)

5 2. On March 29, 2019, the Parties submitted a Status Report (Dkt. 48) and Stipulation
6 (Dkt. 50) in which they reported that the Parties' efforts to select a mediator and mediation date are
7 ongoing and requested to extend the discovery stay for an additional fourteen (14) days. The Court
8 entered the Stipulation and Order on April 1, 2019. (Dkt. 51.)

9 3. On April 12, 2019, the Parties submitted a Status Report (Dkt. 52) and a Stipulation
10 (Dkt. 53) in which they reported the Parties' agreement as to a mediator and agreed to stay discovery
11 for an additional fourteen (14) days to allow the Parties more time to confirm a mediation date. The
12 Court entered the Stipulation and Order on April 15, 2019. (Dkt. 54.)

13 4. On April 24, 2019, the Parties confirmed that a mediation of this case was scheduled
14 for June 28, 2019 at 10:00 am. Accordingly, on April 26, 2019, the Parties submitted a Stipulation to
15 extend the stay of discovery pending mediation up through and including June 28, 2019. In the event
16 this matter was not resolved at mediation, the Parties also agreed to submit to the Court a proposed
17 amended scheduling order within fourteen (14) days of the unsuccessful mediation, on or by July 12,
18 2019. (Dkt. 55.) The Court entered the Stipulation on April 29, 2019. (Dkt. 57.)

19 5. A scheduling conflict has since arisen and required the Parties to reschedule the
20 mediation previously set for June 28, 2019. The Parties selected the first available date on which the
21 Parties and the mediator were available for mediation, and on June 13, 2019, the Parties confirmed
22 that a mediation of this case is reset for September 5, 2019 at 9:00 am. As such, the Parties stipulate
23 and agree to extend the stay of discovery pending the reset mediation up through and including
24 September 5, 2019.

25 6. If this matter is not resolved at mediation, the Parties further agree and stipulate that
26 they will submit to the Court a proposed amended scheduling order within fourteen (14) days
27 following the unsuccessful mediation, on or by September 19, 2019.

28 7. This is the Parties' fourth request to extend the stay of discovery.

8. There is good cause to extend the stay. An extension of the stay will allow the Parties to focus their continuing efforts on early resolution in an efficient manner and save the Parties' time and expense of discovery. Moreover, as no trial in this matter has been set, the requested extension of the stay does not require a change to any trial date. The Parties jointly request to extend the stay. Neither Party to this lawsuit will be prejudiced by the extension of the stay.

IT IS SO AGREED AND STIPULATED:

Dated this 18th day of June, 2019

Lapidus & Lapidus, PLC

By: /s/ Daniel C. Lapidus

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Dated this 18th day of June, 2019

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HMO Nevada*

IT IS SO ORDERED:



UNITED STATES MAGISTRATE JUDGE

DATED: June 19, 2019

CASE NO.: 2:18-cv-00761-RFB-GWF

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on June 18, 2019, a true and correct copy of the foregoing has been filed with the Court through the CM/ECF system, which will send notification of such filing to all parties of record in the above-captioned matter.

/s/ Karen E. Vaysman
Karen E. Vaysman